

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEITH ANDREWS,

Plaintiff,

v.

WILLIAMS WPC-I, LLC, *et al.*,

Defendants.

No. 4:19-CV-02200

(Judge Brann)

ORDER

AND NOW, this 16th day of July 2020, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss, Doc. 19, is **GRANTED IN PART AND DENIED IN PART**.
2. All of Plaintiff Keith Andrews' claims against Defendants Williams WPC-II, Inc., Williams WPC-III, Inc., and Williams WPC International Co. are **DISMISSED WITH PREJUDICE**.
3. Andrews' class action and collective action allegations within Count I and Count II are **DISMISSED WITHOUT PREJUDICE**.
4. Defendants' Motion is **DENIED** with respect to Andrews' allegations in Count I and Count II in Andrews' capacity as an individual plaintiff.

5. Andrews' Count III is **DISMISSED WITHOUT PREJUDICE**.
6. Andrews' Count IV is **DISMISSED WITHOUT PREJUDICE**.
7. Andrews' Count V is **DISMISSED WITHOUT PREJUDICE** as to Defendant Williams WPC-I, LLC.
8. Andrews' Count V is **DISMISSED WITH PREJUDICE** as to Defendant Alan Armstrong (in his individual capacity).
9. Andrews' request for emotional distress damages under the Age Discrimination in Employment Act is **DISMISSED WITH PREJUDICE**.
10. Andrews' request for punitive damages under the Age Discrimination in Employment Act and/or under the Pennsylvania Human Relations Act is **DISMISSED WITH PREJUDICE**.
11. To the extent that Defendants' Motion is to be interpreted as a Motion for a More Definite Statement and/or a Motion to Strike, the Motion is **DENIED**.

12. Plaintiff may file a second amended complaint, which may cover the above Counts that were not dismissed with prejudice or that otherwise remain, by August 6, 2020. If no amended complaint is filed by that date, the action will be summarily dismissed pursuant to Fed. R. Civ. P. 41(b).

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge